

SEVENTH DAY

(Wednesday, October 23, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Wood

Absent—Excused

Fuller	Willis
Hudson	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Roberts.

Senator Fuller was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

Senator Willis was granted leave of absence for today on account of illness on motion of Senator Ratliff.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 8, In memory of Judge Few Brewster.

Senate Resolution 44

Senator Bracewell offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. H. M. Grice and Mrs. H. H. High of Houston; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

**BRACEWELL
WOOD**

The resolution was read and was adopted.

Senator Bracewell by unanimous consent presented Mrs. Grice and Mrs. High to the Members of the Senate.

Senate Resolution 45

Senator Bradshaw offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of Brock High School of Parker County, Texas, accompanied by their sponsor, Superintendent Bill Thomas; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Bradshaw by unanimous consent presented the students and superintendent to the Members of the Senate.

Senate Resolution 46

Senator Roberts offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Weldon B. Strader and Mrs. Wm. F. Powell, both of Gainesville, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Roberts by unanimous consent presented Mrs. Strader and Mrs. Powell to the Members of the Senate.

Senate Resolution 48

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Ken England of El Paso, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented Mr. and Mrs. England to the Members of the Senate.

Messages from the Governor

The following messages received from the Governor today were read and were referred to the Committee on Nominations:

Austin, Texas,
October 23, 1957.

To the Senate of the Fifty-fifth Legislature, First Called Session:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Associate Justice of the Court of Civil Appeals for the Eleventh Supreme Judicial District, to fill the unexpired term of Judge Milburn S. Long, deceased: Esco Walter of Abilene, Taylor County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Austin, Texas,
October 23, 1957.

To the Senate of the Fifty-fifth Legislature, First Called Session:

I ask the advice, consent and con-

fimation of the Senate with respect to the following appointments:

To be Branch Pilots for the Brazos Santiago Pass, Bar and Tributaries, for two-year terms to expire August 1, 1959: John A. Fuller of Cameron County; Francis M. Kershaw of Cameron County; Cecil F. Crawford of Cameron County; Donald F. Willett of Cameron County.

To be Branch Pilots for the Port of Galveston and Texas City, for two-year terms to expire July 25, 1959: Sherman B. Wetmore of Galveston County; Basil V. O'Brien of Galveston County.

To be Branch Pilots for the Port of Galveston and Texas City, for two-year terms to expire August 29, 1959: Harold F. Johnson of Galveston County; Ralph M. Watson of Galveston County; Robert W. Howard of Galveston County; George W. Crosby of Galveston County.

To be Branch Pilot for the Galveston Bar and Houston Ship Channel, for a two-year term to expire July 10, 1959: Paul Collie of Harris County.

To be Branch Pilot for the Galveston Bar and Houston Ship Channel, for a two-year term to expire August 14, 1959: Elmer C. Bell of Harris County.

To be Branch Pilots for the Sabine Bar, Pass and Tributaries, for two-year terms to expire July 5, 1959: R. Gerald Johnson of Jefferson County; C. K. Luther of Jefferson County; D. J. Simonton of Jefferson County.

To be Branch Pilot for the Sabine Bar, Pass and Tributaries, for a two-year term to expire September 3, 1959: Carl M. Bancroft of Jefferson County.

To be Branch Pilots for the Sabine Bar, Pass and Tributaries, for two-year terms to expire October 2, 1959: John M. Cox of Jefferson County; S. W. Livingston of Jefferson County; Arne Pederson of Jefferson County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Adjournment

On motion of Senator Hardeman the Senate at 10:53 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of Honorable Ephraim McDaniel Davis

Senator Ashley offered the following resolution:

(Senate Resolution 42)

Whereas, A distinguished Texan and former Member of this Body, Honorable E. M. Davis, was called to his heavenly reward on October 14, 1957, in Brownwood, Texas, and

Whereas, Ephraim McDaniel Davis was born in Burnet County, Texas, on December 15, 1883, where he taught school and later worked his way through the University of Texas, graduating in 1912, and

Whereas, In 1917 he volunteered for service in the United States Army at Leon Springs, from which Service he was honorably discharged with the rank of Captain, and

Whereas, In 1918 he moved to Brown County, Texas, where he lived for the remainder of his life, and

Whereas, He married the former Ernestine Williams, his devoted companion for life, in 1919 in Dallas, Texas, and

Whereas, Judge Davis, who was affectionately and widely known as "Eph" Davis, enjoyed a long and distinguished career of public service which included four years as County Attorney of Lampasas County, two years as City Attorney of Brownwood, six years as County Judge of Brown County, President of the County Judges and Commissioners' Association of Texas, two years as State Representative from the 125th District and from 1935 to 1939 as an honored Member of the Texas Senate, as well as other recognitions of esteem, and

Whereas, The life of Eph Davis exemplifies that rapidly passing generation of rugged individualists, who have been the bulwark of our nation throughout her history, and

Whereas, This great and good man combined a warmth of personality, a capacity for friendship and an affection for mankind which made him sensitive to the joys and sorrows of life, and caused to shine through his rugged exterior an appreciation of the good, the true and the beautiful of God's Universe, and

Whereas, This loving husband and devoted father was a faithful Member of the Presbyterian Church in which he served as Elder, and

Whereas, It is the desire of the Senate to pay its tribute to him and to express its sympathy to the surviving members of his family, namely, his widow, Mrs. Ernestine Davis of Brownwood, his son, Mr. William E. Davis of San Angelo, two daughters, Mrs. Melvin Sisk of San Antonio and Mrs. Edwin Luecke of Wichita Falls, four sisters, Mrs. Marcus Dent and Mrs. Earl Kirby, both of Lometa, Mrs. Mary Holley of San Antonio and Mrs. Bryan Kirby of San Angelo, and eight grandchildren; now, therefore, be it

Resolved, By the Senate of Texas, that a page in the Journal be set aside in memory of Honorable E. M. Davis; that when the Senate adjourns today it do so in his honor and that copies of this resolution be sent to the members of his family and to the County of Brown, the City of Brownwood and the Honorable Bill Allcorn, his law partner, under the official seal of the Senate by the Secretary of the Senate.

ASHLEY

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
C. P. VanWinkle

Senator Parkhouse offered the following resolution:

(Senate Resolution 43)

Whereas, In the passing of C. P. VanWinkle, of Dallas, from this earthly life on the 20th day of October, 1957, in his 73rd year, the State of Texas, and in particular the people of Dallas County and the City of Dallas, have suffered an irreparable loss; and

Whereas, He was a graduate of the University of Arkansas, where he was a star halfback on the 1902 football team, and he had been a resident of the City of Dallas for 53 years; and

Whereas, For several years he published the Poultry News, was a member of the Dallas Men's Garden Club, a member and past president of the Dallas Rose Society; and

Whereas, He was a deacon of the First Presbyterian Church of Dallas, a 32nd Degree Mason, and a Shriner, and was a director of the Industrial National Bank; and

Whereas, He was an outstanding leader in many worthy projects for the advancement of his City, State, and Nation; now, therefore, be it

Resolved, That the passing of this outstanding citizen be fittingly recognized, and that when the Senate of Texas adjourns today, it does so in memory of C. P. VanWinkle; and that we here and now extend our sympathy to his wife; a son, A. P. VanWinkle of Dallas; a daughter, Mrs. Edward B. Brooks of Dallas; a sister, Mrs. E. C. Scott of Fort Worth; three brothers, G. J. VanWinkle and C. A. VanWinkle both of Dallas, and Tom VanWinkle of Bellingham, Washington; and to four grandchildren and three great-grandchildren; and, be it further

Resolved, That a copy of this resolution be transmitted to his surviving family as a token of our sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of Hugh Roy Cullen

Senator Bracewell offered the following resolution:

(Senate Resolution 47)

Whereas, God in His Infinite Wisdom, on July 4, 1957, called from his earthly labors Hugh Roy Cullen of Houston, Harris County, Texas; and

Whereas, Hugh Roy Cullen was born in Denton County on July 8, 1881, being descended from English and Scottish colonists, the son of Cicero and Louise Cullen and the grandson of Ezekiel Cullen, a distinguished member of the Legislature of Texas and one of the leaders in the founding of the public school system of our State; and

Whereas, Hugh Roy Cullen spent his childhood years in San Antonio, Bexar County, with little formal schooling and few advantages from an economical standpoint, but developed at an early age the virtues of frugality and hard work; and

Whereas, On the twenty-ninth day of December, 1908, Hugh Roy Cullen married Lillie Crans of Schulenburg, Texas, who was his constant and devoted companion until the time of his death; and

Whereas, Hugh Roy Cullen gained a reputation among his associates at an early age for honesty and reliability which, coupled with his abundant energy and rare common sense, enabled him to rise to the heights of success under the free democracy which he cherished and loved so well; and

Whereas, His life epitomizes the opportunities available to all Americans under a capitalistic system of Government and his life was a shining example of the greatness of America; and

Whereas, Hugh Roy Cullen, in amassing a great fortune, never lost the love for his fellow man in all walks of life and grew in stature and recognition of the responsibilities of a citizen to his community, his state and his nation; and

Whereas, Hugh Roy Cullen and his good wife throughout their successes gained great joy and personal pleasure in giving freely of those economic resources which an Almighty Creator and a free economy had made possible; and

Whereas, the philanthropy of Hugh Roy Cullen has been unmatched in the history of this State, it being estimated that he and Mrs. Cullen have given ninety-five per cent of their fortune to educational and charitable institutions of this State, and the State of Texas will benefit therefrom for generations and generations unborn; and

Whereas, Hugh Roy Cullen took an active interest in the affairs of his Government and became a champion of the rights of the individual and the basic principles of democratic government as envisioned by the founders of this country; and

Whereas, With the death of Hugh Roy Cullen, our State lost one of its greatest citizens of modern time, and the Senate desires to appropriately acknowledge his passing; now, therefore be it

Resolved, By the Senate of the State of Texas, that this Body acknowledge with regret the death on the fourth day of July, 1957, of one of its most distinguished citizens, Hugh Roy Cullen of Harris County, Texas, a loving husband and father, a kind and considerate friend, a good and respected citizen; and be it further

Resolved, That a page in the Senate Journal be set aside this date in his memory and when the Senate adjourns today, it do so out of respect and admiration for the life of Hugh Roy Cullen.

BRACEWELL

Signed—Ben Ramsey, Lieutenant Governor; Alkin, Ashley, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Haslewood, Herring, Hudson, Kasen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Phillips and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of

Miss Clara May Hurst

Senator Phillips offered the following resolution:

(Senate Resolution 49)

Whereas, On July 17, 1957, the State of Texas and the City of Angleton lost one of its most valuable and beloved citizens when Miss Clara May Hurst was called to her Heavenly Reward; and

Whereas, Clara May Hurst was 77 years old at the time of her death and had lived in Angleton forty years after moving from Velasco; and

Whereas, She was a faithful employee of the City's Post Office for some forty years; now, therefore, be it

Resolved, That the Senate of the State of Texas does here and now pay tribute to this fine woman and that we extend our sincere sympathy to her two brothers, John Henry Hurst and Clyde F. Hurst; and be it further

Resolved, That a page in the Senate Journal be set aside in honor and memory of Clara May Hurst.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of

Arthur E. A. Catterall

Senator Phillips offered the following resolution:

(Senate Resolution 50)

Whereas, On August 18, 1957, our Heavenly Father in His infinite wisdom, called from his earthly labors Arthur E. A. Catterall, 81, of Galveston, Texas; and

Whereas, Mr. Catterall was an outstanding civic and religious leader having been a choir boy, Sunday School organist, Sunday School Treasurer, choir master, vestryman at the Trinity Episcopal Church and was a Trust Officer and Vice President of the Galveston First National Bank; and

Whereas, He attended public schools in Houston and Galveston and was an honor student at Sam Houston Normal Institute, now Sam Houston State College, in Huntsville, Texas; and

Whereas, It is the desire of the Senate to extend its sympathy to his wife, Mrs. Laura Gordon Park Catterall, and his brother, Fred W. Catterall; now, therefore, be it

Resolved, By the Senate of the State of Texas that the sympathy of this Body be expressed to the bereaved family and that when the Senate adjourns today, it do so in respect to the memory of Arthur E. A. Catterall.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of

George Samuel Taylor

Senator Phillips offered the following resolution:

(Senate Resolution 51)

Whereas, On August 27, 1957, the town of League City lost one of its most distinguished and honored citizens in the passing of George Samuel Taylor; and

Whereas, Mr. Taylor, born October 7, 1908, was a respected rancher and rice grower in this area; and

Whereas, He was a member of the American Rice Growers Association, the Brazoria Cattlemen's Association, Texas and Southwestern Cattle Raisers Association and participated in various civic activities; and

Whereas, He is survived by his wife, Mrs. Pearl Taylor; two brothers and one sister; now, therefore, be it

Resolved, By the Senate of Texas that when the Senate adjourns today, it do so out of the respect and memory of George Samuel Taylor.

The resolution was read and was adopted by a rising vote of the Senate.